

Petitioner was convicted in Smith County, Texas.

Pursuant to 28 U.S.C. § 124, Smith County is in the Eastern District of Texas. However, Smith County is located in the Tyler Division, rather than the Beaumont Division of this court. As all records and witnesses involving this petition may be located in the Tyler Division of this court, the transfer of this petition to such division would further justice.

Accordingly, this case should be transferred to the Tyler Division of this court. A Transfer Order shall be entered in accordance with this Memorandum Opinion.

SIGNED this 11 day of August, 2005.



EARL S. HINES
UNITED STATES MAGISTRATE JUDGE